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MMS Acts against Gagging Physicians on Reproductive Health Care

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By Sarah Ruth Bates, MBE, and Lucy Berrington, MS

The Massachusetts Medical Society is leading a statewide collaboration to oppose federal regulatory changes that would prevent providers from referring patients for abortion care. These proposed rules are only one manifestation of an ongoing effort by the federal government to undermine the provision of evidence-based women's reproductive care across the country. If implemented, the changes will affect family planning clinics receiving Title X funding through a program established in 1970 with bipartisan support.

In response, the MMS has affirmed the importance of the principles under threat, including open patient-physician communication, the provision of evidence-based care, and the imperative to provide care to all. In a letter to the US Department of Health and Human Services in July, the MMS and a coalition of physician organizations argued that the proposed rules could irreparably damage the trust upon which the patient-physician relationship depends. The letter has been signed by the MMS, the Massachusetts Chapters of the American College of Physicians and the American Academy of Pediatrics, the Massachusetts Section of the American College of Obstetrics and Gynecology, the Massachusetts Academy of Family Physicians, the Massachusetts College of Emergency Physicians, and the Connors Center for Women's Health and Gender Biology of Brigham and Women's Hospital.

Preventing Abortion Referrals

The proposed changes seek to prevent physicians at Title X-funded facilities from referring patients for abortions, notwithstanding that abortion is a legal health care service. (Title X funds are not used to cover abortion care.) The administration has argued that this change would not constitute a gag rule because physicians would still be permitted to mention abortions to their patients. The MMS and its co-signatories hold that this is a specious distinction.

"If these rules go into effect, if a patient had an unplanned pregnancy and wanted to know her options, as a Title X grantee I would not be allowed to comprehensively counsel her on all of her options. If I did, I would risk losing Title X funding for the whole clinic," says Megan Evans, MD, MPH, who currently practices at Neponset Health Center, which receives Title X funding, and at Tufts Medical Center.



Megan Evans, MD, MPH

Discriminatory Rules

The proposed rules would discriminate against women who seek care at Title X clinics, many of whom are of lower income. The changes are likely to lead to the closure of clinics and a reduction in health care services in the communities where those facilities currently operate. Title X facilities provide a spectrum of health care services, including screening for chronic disease and sexually transmitted infections, pelvic exams, contraception, health education, and referrals. The new rules would make it difficult or impossible for clinics receiving Title X funding to operate in a way that stays true to their mission while still complying with the law, says Julie Johnston, MD, medical director of Health Quarters, a network of Title X–funded clinics in northeastern Massachusetts, and the 2018 recipient of the MMS Women's Health Award. "A clinic that meets the Title X criteria under Trump's plan is not practicing good medicine. The government should not step between patients and their physicians in the context of a safe and legal health discussion."

Importance of Speaking Out

Physicians' voices are vital to ensuring that medical practice is not politicized, says Dr. Evans. "Physicians are highly trusted in the community. If we're silent, we're basically saying it's OK. [These changes are] impacting our patients and general society in an enormous way. Contraception is key to women's independence and improved economic status. When you jeopardize that, you're jeopardizing generations and communities."

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